

PATENT

Atty Docket No.: 200312974-1
App. Ser. No.: 10/697,686

IN THE DRAWINGS

Please replace FIGs. 1-4 with the attached replacement sheets for such figures,
wherein previously omitted textual labels have been added.

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the amendments above and the following remarks.

Claims 6, 14, and 21-22 have been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1-5, 7-13, 15-20, and 23-30 remain pending, of which claims 1, 9, 22, 24, and 26 are independent.

The drawings were objected because FIGs. 1-4 do not contain textual labels.

Claim 19 was objected because of alleged minor informalities.

Claims 1, 2, 9, 10, and 16-29 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Tanaka (6,011,483).

Claims 3-6, 8, 11-14, and 30 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tanaka in view of Staarman (5,179,337).

Claims 7 and 15 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tanaka in view of Johnson (6,927,555).

The aforementioned objections and rejections are traversed for at least the following reasons.

Information Disclosure Statement (IDS)

The undersigned thanks the Examiner for having considered the references cited in the IDS filed May 31, 2005.

Drawings

FIGs. 1-4 were objected because they do not contain textual labels so as to readily discern the functions of the box diagram elements. The attached replacement sheets of drawings for FIGs. 1-4 include amended box diagram elements with textual labels therein to further identify such elements. For example, box “112” has been changed to “Circuitry 112,” box “110” has been changed to “Electronic Device 110,” box “120” has been changed to “Passive Tag 120,” and so on.

Accordingly, withdrawal of the objection to FIGs. 1-4 is respectfully requested.

Claim Objection

Claim 19 was objected because of a lack of antecedent basis. Claim 19 has been amended to depend on Claim 18 instead of Claim 16, as presumed in the Office Action. Claim 18 provides proper antecedent basis for Claim 19. Therefore, withdrawal of the objection of Claim 19 is respectfully requested.

Claim Rejections Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1, 2, 9, 10, and 16-29 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Tanaka.

Claim 22

Original Claim 22 recites a method of conserving power in a device that further comprises “controlling a power control circuit *to maintain a connection* between the power source and the device in response to receiving a signal from the device.” (Emphasis added). The Office Action cited Tanaka to anticipate and reject Claim 22 without any explanation as to where the aforementioned claimed features can be found in Tanaka. Indeed, Tanaka’s system is designed to power off the ID card unit 30 once there is no longer an applied magnetic field. Thus, the ID card unit 30 is operable to actually turn *off* itself, i.e., to *disconnect* its main circuit from its power source, by sending an RF signal to the magnetic field generator 11 to stop the transmission of magnetic field, which turns off the ID card unit 30 (see Tanaka in at least col. 3 line 53 to col. 4, line 5). In contrast, Claim 22 is explicitly directed to *maintaining a connection* between the power source and the device.

Dependent Claim 22 has been rewritten into an independent form to include all features from its base Claim 20 and intervening Claim 21. No new issues have been added in Claim 22. Consequently, Claims 20-21 have been canceled.

Because Tanaka fails to disclose each and every element as arranged in Claim 22, it fails to anticipate Claim 22 as now rewritten in independent form. Accordingly, withdrawal of the rejection of this claim and its allowance are respectfully requested.

Independent Claims 1, 9, 24, and 26

Independent Claims 1, 9, 24, and 26 have been amended to include features similar to the aforementioned allowable features in Claim 22. Particularly, Claims 1, 9, and 24 now include language directed to maintaining the connection of the power source to a circuit or device, even after the removal of the magnetic field that prompted such a connection in the first instance. Likewise, Claim 26 now includes language directed to maintaining the connection of the power source to the power consuming circuit, even after removal of another circuit from the proximity of an external device.

Accordingly, Claims 1, 9, 24, and 26, and their dependent Claims 2-5, 7-13, and 15-19, 25, and 27-30 are also allowable for at least the reasons set forth above for Claim 22.

Claim Rejections Under 35 U.S.C. §103(a)

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both

be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Claims 3-6, 8, 11-14, and 30 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tanaka in view of Staarman (5,179,337).

Claims 7 and 15 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tanaka in view of Johnson (6,927,555).

It is respectfully submitted that, for at least the reasons set forth above, dependent Claims 3-8, 11-15, and 30 are not anticipated by Tanaka. In addition, the Office Action does not rely upon Staarman and Johnson to make up for the deficiencies in Tanaka with respect to Claims 1, 9 and 26 (on which Claims 3-8, 11-15, and 30 depend). Accordingly, the Office Action has not established a *prima facie* case of obviousness against Claims 3-8, 11-15, and 30. Therefore, withdrawal of the rejection of these claims and their allowance are respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please

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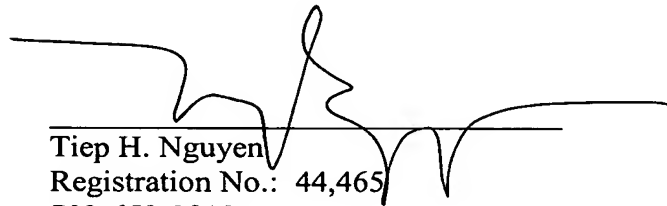
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grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

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By



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